REMARKS/ARGUMENTS

Claims 1-31 are pending in the present application, of which claims 1, 13, 17, 21, and 26 are independent. Claims 1, 2, 13, 17-19, 21, 26, and 27 are hereby amended. No new matter has been added.

REJECTIONS UNDER 35 U.S.C. § 103(A)

In sections 2-4 on pages 2-19, the Office Action rejects claims 1-31 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,885,635 to Haq. Applicant respectfully traverses this rejection for the reasons set forth below.

As amended, independent claim 1 recites, in part, the following subject matter: "a **partitionable update agent plane** coupled to both said data plane and said control plane" (emphasis added). This amendment also adds similar language to independent claims 13, 17, 21, and 26.

Support in the specification for the subject matter added to the independent claims can be found in, for example, paragraph [0026] of the specification as filed. As depicted in Figure 3, both the control plane update agent modules [314-1 to 314-K] and the data plane update agent modules [312-1 to 312-K] are located on the update agent plane [305], and are not located on either the control plane [303] or the data plane [307].

Page 4 of the Office Action correctly concedes that Haq does not explicitly teach "a control plane agent module" and "a data plane agent module." However, the Office Action attempts to remedy Haq's deficiencies by arguing that these modules respectively resemble routing engines and processing components.

Applicant respectfully submits that Haq's routing engines [Fig. 3: 201/202] and processing components [Fig. 3: 205/206] do not resemble the claimed update agent modules. As described above, the update agent modules reside on a separate update agent plane and do not belong to either the control plane or the data plane. Haq only discloses a routing engine [Fig. 2: 105] and a packet forwarding engine [Fig. 2: 106], so Haq clearly lacks a tripartite structure having three distinct planes: a control plane, an update agent plane, and a data plane.

Moreover, the Office Action has admitted, on page 2, that Haq's routing engine is part of Haq's control plane. Because the Office Action specifically defines Haq's routing engine as "a partitionable control plane," the Examiner cannot argue that the same routing engine is also part of the recited update agent plane. Similarly, because the Examiner has defined the processing components as part of the packet forwarding engine/data plane, those processing components cannot be part of the recited update agent plane.

Therefore, Applicant respectfully submits that independent claims 1, 13, 17, 21, and 26 are allowable. Claims 2-12, 14-16, 18-20, 22-25, and 27-31 respectively

depend from allowable claims 1, 13, 17, 21, and 26. Thus, Applicant respectfully submits that claims 2-12, 14-16, 18-20, 22-25, and 27-31 are allowable at least on the basis of their respective dependencies upon allowable independent claims.

For at least the foregoing reasons, Applicant respectfully requests that the rejection of claims 1-31 under 35 U.S.C. § 103(a) be withdrawn.
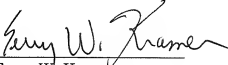
CONCLUSION

While we believe that the instant amendment places the application in condition for allowance, should the Examiner have any further comments or suggestions, it is respectfully requested that the Examiner telephone the undersigned attorney in order to expeditiously resolve any outstanding issues.

In the event that the fees submitted prove to be insufficient in connection

with the filing of this paper, please charge our Deposit Account Number 50-0578

and please credit any excess fees to such Deposit Account.

Respectfully submitted,
KRAMER & AMADO, P.C.

Date: _____ January 21, 2009 _____

Terry W. Kramer
Registration No.: 41,541

KRAMER & AMADO, P.C.
1725 Duke Street, Suite 240
Alexandria, VA 22314
Phone: 703-519-9801
Fax: 703-519-9802